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A Better Process would Promote Consistency, Compassion

A congressional commission reports that people fleeing persecution in their homelands also have much to fear when they seek asylum in the United States. Asylum seekers often are victims of an arbitrary and abusive system that treats them like criminals. They are strip-searched, shackled and detained indefinitely in inhumane, jail-like conditions -- all in the name of national security.

These are the disturbing findings of the **U.S. Commission on International Religious Freedom**, established by Congress in 1998 to monitor religious freedom abroad and the implementation of U.S. asylum laws. The report, released yesterday, takes the Department of Homeland Security to task for an asylum system that relies less on fairly applied rules than on the whim of individual decision-makers. More consistency and a large dose of compassion is needed. The new head of DHS should make those priorities.

The report focuses on "expedited removal." The policy is meant to tighten the security of U.S. borders without closing them off to people fleeing persecution. But there are gaping disparities in how the policy is applied. According to the report: Refugees without lawyers are much less likely to receive asylum than those with representation; outcomes depend not just on the strength of the asylum claim but on which official hears the case and where the asylum seeker comes from. Moreover, asylum seekers are kept in horrid conditions, and often held in solitary confinement.

There were two bright spots: The report cites the Broward detention center as a secure, appropriate facility; and immigration officers at Miami International Airport were commended for their professional behavior toward asylum seekers.

Seeking freedom isn't a crime. The department should change its capricious process that dehumanizes people, but that does little, if anything, to ferret out foreigners who truly mean this country harm.